

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 4-7, 11-15, 21 and 26 were previously cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1-3, 8-10, and 16-20 and 22-25, 27-31 are pending. Claims 1, 17, 20, 23, 25, 27, and 30 are amended. Claims 1, 17, and 23 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, second paragraph. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds for rejection in this Final Office Action.

Examiner Interview

If, during further examination of the present application, any further discussion with Applicants' Representative would advance the prosecution of the present application, the

Examiner is encouraged to contact Carl T. Thomsen, at (703) 208-4030 (direct line) at his convenience.

Objection to the Drawings

In response to the objection to the drawings, the Applicants have cancelled the subject matter (claim 30) that the Examiner alleges is not shown in the drawings. Accordingly, withdrawal of this objection is respectfully requested.

Objection to the Claims

In response to the objection to claim 20, claim 20 has been amended to address the issue pointed out by the Examiner. Accordingly, withdrawal of this objection is respectfully requested.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 1-3, 8-10, 16-20, 22, 25, and 27-31 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

The Examiner states that the original specification does not disclose

“an outer diameter of the elastic member is substantially equal to an inner diameter of said cylindrical portion,” as recited in claims 1 and 17, and

“the second flat sections are disposed flush against a flat surface of the second fixed wall,” as recited in claim 30.

In order to overcome this rejection, Applicants have amended claims 1, 17 and 30 to delete the subject matter that the Examiner alleges is not disclosed in the specification.

Applicants respectfully submit that the claims, as amended, are fully supported by and adequately described in the written description of the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-3, 8-10, 16-20, 22, 27, 28, 30, and 31 stand rejected under 35 U.S.C. § 103(a) as having unpatentable over Tsergas (U.S. Patent Publication 2004/0031343) and Yeh et al. (U.S. Patent Publication 2002/0124673), and further in view of Kitamura et al. EP 1203890 and Riley, Jr. (U.S. Patent 3,320,824);

claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsergas in view of Yeh et al. and Riley, Jr.;

claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsergas and Yeh et al. in view of Kitamura et al. and Riley, Jr.; and

claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsergas and Yeh et al., Kitamura et al., and Riley, Jr. and further in view of Peterson (U.S. 4,864,443).

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 17, and 23

While not conceding the appropriateness of the Examiner's rejections, each of independent claims 1 and 17 has been amended herein each recite a combination of elements directed to a gear transmission device, including *inter alia*

“the second fixed wall is located on a portion of a crankcase cover wall having an outer surface that is slanted with respect to the planar surface on the end face of the second fixed wall,

wherein in a case where the single cylindrical portion on the first opposed end face of the first gear is in direct contact with the plane washer, the first fixed wall is pressed against an opposite end face of the first gear, and the second fixed wall is pressed directly against the second side of the plane washer.”

In addition, **independent claim 23** has been amended herein each recite a combination of elements directed to a gear transmission device, including *inter alia*

“the second fixed wall is located on a portion of a crankcase cover wall having an outer surface that is slanted with respect to the planar surface of the end face of the second fixed wall,

wherein in a case where the single cylindrical portion projecting in the axial direction on the one side of the first gear is in direct contact with the plane washer, the first fixed wall is pressed against an opposite end face of the first gear, and the second fixed wall is pressed directly against the one face of the plane washer.”

See FIGS. 1 and 2, for example, for support.

Regarding Tsergas

This document has no plane washer or elastic member. In addition, neither of walls 111 and 134 has an outer surface that is slanted.

Regarding Yeh et al.

This document merely discloses a cylinder portion on BOTH sides of ring 42 of second gear 4. Further, this document merely discloses washer 7, spring 5, first and second gears 3, 4, and retaining ring 6 disposed on spindle 11. In addition, body 9 does not have an outer surface that is slanted.

Regarding Kitamura et al. EP 1203890

This document was cited merely to disclose the shape of the elastic members 7, 8 in FIGS. 3, 4. . In addition, rotated member 2 does not have an outer surface that is slanted

Regarding Riley, Jr.

This document merely discloses O-ring 68 in a corner of one of the two cylindrical portions of driven gear 66. Further, in a case where the inner most one of the two cylindrical portions on the driven gear is 66 in direct contact with spacer ring 63, the opposite end face of the driven gear is pressed directly against O-ring 69, and the spacer ring 63 is pressed directly against ring bearing 62. Moreover, this document does not suggest a wall having an outer surface that is slanted

Therefore, Kitamura et al. and Riley, Jr. cannot make up for the deficiency of Tsergas and Yeh et al.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1 and 17 is not disclosed or made obvious by the prior art of record, including Tsergas, Yeh et al., Kitamura et al., and Riley, Jr.

Therefore, independent claims 1, 17, and 23 are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claim 20, 25, 27, and 30 have been amended, and dependent claims 29-31 have been added to set forth additional novel features of the invention. All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested. All pending claims are now in condition for allowance.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen, (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Dated: June 26, 2009

Respectfully submitted,

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